

MORGAN VERKAMP, LLC

Philip Goodhart (Bar No. 5332)  
PNG@thorndal.com  
THORNDAL, ARMSTRONG, DELK  
BALKENBUSH & EISINGER  
1100 E. Bridger Avenue  
Las Vegas, NV 89101  
Telephone: 702.366.0622  
Facsimile: 702.366.0327

James J. Pisanelli, Esq.  
Nevada Bar No. 4027  
PISANELLI BICE, PLLC  
400 S. 7th Street, Suite 300  
Las Vegas, NV 89101  
Telephone: (702) 214-2100  
Facsimile: (702) 214-2101  
Email: jjp@pisanellibice.com

Merril Hirsh (admitted *pro hac vice*)  
merril@merrilhirsh.com  
LAW OFFICE OF MERRIL HIRSH PLLC  
2837 Northampton St., NW  
Washington, D.C. 20015  
Telephone: 202.448.9020

R. Jeffrey Layne, Esq. (admitted *pro hac vice*)  
REED SMITH LLP  
111 Congress Avenue, Suite 400  
Austin, TX 78701  
Telephone: (512) 623-1801  
Facsimile: (512) 623-1802  
Email: jlayne@reedsmith.com

Frederick J. Morgan (*pro hac vice*)  
rmorgan@morganverkamp.com  
Jennifer M. Verkamp (*pro hac vice*)  
jverkamp@morganverkamp.com  
Sonya A. Rao (*pro hac vice*)  
sonya.rao@morganverkamp.com  
Ian M. Doig (*pro hac vice*)  
ian.doig@morganverkamp.com  
MORGAN VERKAMP LLC  
35 East Seventh Street, Suite 600  
Cincinnati, OH 45202  
Telephone: 513.651.4400  
Facsimile: 513.651.4405

*Attorneys for Defendants HealthSouth Corp.  
And HealthSouth of Henderson, Inc.*

Jack W. Selden  
(admitted *pro hac vice*)  
1819 Fifth Avenue North  
Birmingham, AL 35203  
Kimberly B. Martin  
(admitted *pro hac vice*)  
BRADLEY ARANT BOLT CUMMINGS LLP  
200 Clinton Avenue West, Suite 900  
Huntsville, AL 35801

*Attorneys for Plaintiff-Relator Joshua Luke*

*Attorneys for Defendant Kenneth Bowman*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, *ex rel.*,  
Joshua Luke,

Plaintiff,  
v.

HEALTHSOUTH CORPORATION,  
HEALTHSOUTH OF HENDERSON, INC. and  
KENNETH BOWMAN,

Defendants.

Case No.: 2:13-cv-01319-APG-VCF

**JOINT STATUS REPORT ON  
SETTLEMENT PURSUANT TO  
COURT ORDER SUSPENDING  
DISCOVERY DEADLINES**

1 Pursuant to the September 25, 2019 Order of the Court (Doc. 229; the “September Status  
2 Order”), Relator Joshua Luke (“Relator”), Defendants HealthSouth Corporation and HealthSouth of  
3 Henderson (collectively, “HealthSouth”), and Defendant Kenneth Bowman (“Bowman”),  
4 collectively the “Parties,” hereby submit this joint status report regarding the Parties’ ongoing  
5 settlement discussions with the United States Government (the “Government”):

6 1. On August 13, 2019, the Parties, along with the Government, participated in  
7 settlement discussions, which resulted in a tentative agreement to settle this matter. In light of the  
8 tentative agreement, the Court has extended the case deadlines pending the drafting and execution of  
9 a settlement agreement. *See* Docs. 225, 226, 229.

10 2. The September Status Order required the Parties to file a status report describing the  
11 above-referenced settlement discussions by October 22, 2019.

12 3. Since the Court issued the September Status Order, the Parties and the Government  
13 have participated in numerous communications by telephone and email regarding the settlement  
14 agreement. These communications have resulted in the Parties and the Government finalizing a  
15 settlement agreement.

16 4. The Parties have all signed the aforementioned settlement agreement. The  
17 Government is awaiting a signature from a representative of the United States Department of Health  
18 and Human Services, Office of Counsel to the Inspector General (“HHS OIG”). Counsel for the  
19 Government has indicated that the signature from HHS OIG is expected shortly.

20 5. Once the signature from HHS OIG is obtained, the settlement agreement will be fully  
21 executed. Once the agreement is executed, the Government has notified the Parties that it intends to  
22 move to intervene in this case for purposes of settlement of this matter.

Respectfully submitted,

DATED this 22nd day of October, 2019.

DATED this 22nd day of October, 2019.

**THORNDAL, ARMSTRONG, DELK,  
BALKENBUSH & EISINGER**

**PISANELLI BICE, PLLC**

/s/ Philip Goodhart  
PHILIP GOODHART, ESQ.  
Nevada Bar No. 5332  
1100 E. Bridger Avenue  
Las Vegas, NV 89101

/s/ James Pisanelli  
JAMES J. PISANELLI, ESQ.  
Nevada Bar No. 4027  
400 S. 7th Street, Suite 300  
Las Vegas, NV 89101

**LAW OFFICE OF MERRIL HIRSH PLLC**

**REED SMITH LLP**

/s/ Merrill Hirsh  
MERRIL HIRSH, ESQ.  
(admitted *pro hac vice*)  
2837 Northampton St., NW  
Washington, D.C. 20015

/s/ R. Jeffrey Lane  
R. JEFFREY LANE, ESQ.  
(admitted *pro hac vice*)  
111 Congress Avenue, Suite 400  
Austin, TX 78701  
LESLEY REYNOLDS

**MORGAN VERKAMP LLC**

1301 K Street, N.W.  
Suite 1000-East Tower  
Washington, DC 20005  
JAMES L. SANDERS  
355 South Grand Avenue, Suite 2900  
Los Angeles, CA 90071  
*Attorneys for Defendants HealthSouth Corp.  
and HealthSouth of Henderson, Inc.*

/s/ Sonya A. Rao  
FREDERICK M. MORGAN, JR.  
(admitted *pro hac vice*)  
SONYA A. RAO  
(admitted *pro hac vice*)  
IAN DOIG  
(admitted *pro hac vice*)  
35 East Seventh St., Suite 600  
Cincinnati, OH 45202

**BRADLEY ARANT BOULT CUMMINGS  
LLP**

*Attorneys for Relator Joshua Luke*

/s/ Kimberly B. Martin  
JACK W. SELDEN  
(admitted *pro hac vice*)  
1819 Fifth Avenue North  
Birmingham, AL 35203  
KIMBERLY BESSIERE MARTIN  
(admitted *pro hac vice*)  
200 Clinton Avenue West, Suite 900  
Huntsville, AL 35801

*Attorneys for Defendant Kenneth Bowman*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was sent via the Court's electronic filing system and served on all counsel of record on 22nd day of October, 2019.

/s/ Sonya A. Rao  
Sonya A. Rao  
Attorney for plaintiff-relator Joshua Luke